

Barth Dennis Capela
V-58262
2-122
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In Pro Per

FILED

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RICHARD W. WIEKING *HW*
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BARTH DENNIS CAPELA,

Petitioner,

vs.

BOB HOREL, WARDEN,

Respondent.

C07 04734 SBA

NO.

MOTION FOR
APPOINTMENT OF
COUNSEL PURSUANT
TO 18 U.S.C. SECTION
3006(a)(2)(B)

TO THE HONORABLE UNITED STATES DISTRICT COURT:

Pursuant to 18 U.S.C. section 3006(a)(2)(B), petitioner respectfully applies for the appointment of counsel. This application is supported by the attached declaration of Barth Dennis Capela and the financial form which has been submitted with my petition for writ of habeas corpus..

Dated: January __, 2007

Respectfully submitted,

Barth Dennis Capela

BARTH DENNIS CAPELA

Petitioner in pro per

DECLARATION OF BARTH DENNIS CAPELA

I am the petitioner in *Capela v. Horel*. I am a layperson and am completely unschooled in the law. In my opinion, there are meritorious grounds stated in my petition. However, due to my lack of knowledge of legal principles, I am unable to skillfully present my case. I am in need of legal counsel. Thus, I would respectfully request that the Office of the Federal Public Defender be appointed to represent me in this proceeding.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this ____ day of January, 2007, at Vacaville, California.


BARTH DENNIS CAPELA